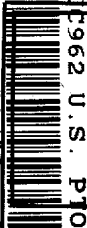


02-05-02

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02/01/02

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.  
31305Total Pages in this Submission  
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**AUTOMATED IMAGING SYSTEM AND METHOD FOR CONCRETE QUALITY ANALYSIS**

and invented by:

Steven P. Cave, Nelson G. Cook, Chris W. Baumgart, and Kim D. Linder

J1046 U.S. PTO

10/066277



02/01/02

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 24 pages and including the following:
  - a. ☐ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications *(if applicable)*
  - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
  - d. ☐ Reference to Microfiche Appendix *(if applicable)*
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings *(if drawings filed)*
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
31305

Total Pages in this Submission  
4

## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets 3
4. ☐ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☐ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EV069013542US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
31305

Total Pages in this Submission  
4

**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

Two (2) CD's containing Source Code; and CD Transmittal Letter

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
31305


Total Pages in this Submission  
4

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra		Rate	Fee
<b>Total Claims</b>	42	- 20 =	22	x	\$18.00	\$396.00
<b>Indep. Claims</b>	4	- 3 =	1	x	\$84.00	\$84.00
<b>Multiple Dependent Claims (check if applicable)</b> <input type="checkbox"/>						\$0.00
<b>BASIC FEE</b>						\$740.00
<b>OTHER FEE (specify purpose)</b> _____						\$0.00
<b>TOTAL FILING FEE</b>						\$1,220.00

- ☒ A check in the amount of **\$1,220.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-0522** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Thomas B. Luebbering

Dated: February 1, 2002

\*23589\*



CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: CAVE, STEVEN P. et al.	)	Docket No.: 31305
	)	
Serial No.:	)	Group Art Unit No.:
	)	
Filed:	)	Examiner:
	)	
IMAGING SYSTEM FOR CONCRETE	)	
QUALITY ANALYSIS	)	

Assistant Commissioner of Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Transmitted herewith are two CD-Rs ("compact disks-write once") labeled and hereafter referred to as Copy 1 and Copy 2.

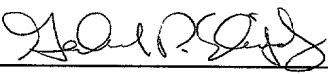
Copy 1 and Copy 2 each contain an identical copy of a computer program listing appendix associated with and incorporated by reference into the above-identified non-provisional utility application. The machine format of each CD-R is IBM-PC; and the operating system compatibility is MS-Windows.

Copy 1 and Copy 2 each contain identical copies of the following ASCII files:

Filename	Date/Time of Creation	Size (in Bytes)
C_CODE.TXT	01/31/2002 09:57a	168,729
C_CODE_H.TXT	01/31/2002 09:57a	13,198
VB_CODE.TXT	01/31/2002 09:57a	141,557
VB_CODE2.TXT	01/31/2002 09:57a	63,070

Respectfully submitted,

HOVEY WILLIAMS LLP

By  REG NO: 45,682 FOR  
Thomas B. Luebbering, Reg. No. 37,874  
2405 Grand Boulevard, Suite 400  
Kansas City MO 64108  
(816) 474-9050

ATTORNEY FOR APPLICANT(S)

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): CAVE, STEVEN P. et al.

Docket No.

31305

Serial No.

Filing Date

Examiner

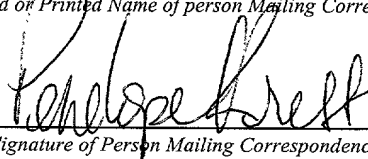
Group Art Unit

Invention: IMAGING SYSTEM FOR CONCRETE QUALITY ANALYSIS

I hereby certify that the Complete Patent Application; 24 pages; \$1,220.00 Filing Fee; 3 drawing sheets; Declaration and Power of Attorney; CR-R Transmittal Letter; 2 CD-R containing Computer Program Source Code; and return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, DC 20231, on February 1, 2002.

Penelope Kress

(Typed or Printed Name of person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EV069013542US

("Express Mail" Mailing Label Number)

2002 FEB 01 10 20 AM